

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

AFFYMETRIX, INC.,	)	
	)	
Plaintiff/Counter-	)	C. A. No. 04-901 (JJF)
Defendant,	)	
	)	
	)	
ILLUMINA, INC.,	)	
	)	
Defendant/Counter-	)	
Plaintiff.	)	

**NOTICE OF DEPOSITION OF ARNOLD OLIPHANT**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that, pursuant to Fed. R. Civ. P. 30, plaintiff

Affymetrix, Inc., through their attorneys, will take the deposition upon oral examination of Arnold Oliphant beginning at 9:30 a.m. on November 30, 2005 at the Hilton San Diego Airport/Harbor Island Hotel, 1960 Harbor Island Drive, San Diego, California, 92101.

The deposition will be recorded stenographically, with the capacity to provide instant visual display or playback of the testimony, and by video by an officer authorized to administer oaths. All counsel are invited to attend and examine the witness.

MORRIS, NICHOLS, ARSHT & TUNNELL

*/s/ Melissa S. Myers*

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November 3, 2005

**CERTIFICATE OF SERVICE**

I hereby certify that on November 3, 2005, I electronically filed a Notice Of Deposition of Arnold Oliphant using CM/ECF which will send notification of such filing(s) to the following:

Richard K. Herrmann, Esquire  
Mary B. Matterer, Esquire  
Morris, James, Hitchens & Williams LLP  
222 Delaware Avenue, 10<sup>th</sup> Floor  
Wilmington, DE 19801

I hereby certify that on November 3, 2005, I have caused to be sent by Federal Express, the above-mentioned document to the following non-registered participants:

Marcus E. Sernel, Esquire  
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Chicago, IL 60601

/s/ Melissa Stone Myers  
Melissa Stone Myers (#3985)  
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